

REGISTER OF CLASSIFICATION DECISIONS

Date of entry in Register: 18 November 2002
 Name of applicant/court: The District Court at Lower Hutt
 Applicant to the Labelling Body: Not Applicable
 Title of Publication: Untitled aka Unlabelled: Identified by brown tape residue on spine
 Other Known Title(s): Not Stated
 Director(s): Not Stated
 Producer(s): Not Stated
 Publisher: Not Applicable
 Author(s): Not Applicable
 Format: Video Recording VHS/PAL
 Country of Origin: Not Stated
 Language(s): Music Soundtrack Only

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Components of film originally examined:

Feature:	Untitled aka Unlabelled: Identified by brown tape residue on spine	Running time:	152.52
Trailers:	Nil	Running time:	
		Total Running time:	152.52

Excision/Alteration: Not Applicable.

Reason(s) for Excision:

Not Applicable.

Classification Decision:

Objectionable.

Display Conditions:

Not Applicable.

Descriptive Note:

Not Applicable.

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Direction to issue a label has been given on: Not Applicable.

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SUMMARY OF THE REASONS FOR DECISION:

The untitled video recording known as *Unlabelled: Identified by brown tape residue on spine* is classified as:
Objectionable.

The publication promotes and supports the exploitation of children for sexual purposes. The untitled video recording is a visual record of the sexual exploitation of children by adults. It consists of a compilation of short scenes explicitly depicting sexual activity involving children ranging in age from five or six years old to early adolescence. In the larger part of the material adults are shown engaging in sexual acts with children. The video recording is intended for the sexual arousal of adults. By presenting children in this way, the publication validates sexual interest in children and encourages the idea that they may be used for adult sexual gratification.

A classification of "objectionable" places a limit on the right to freedom of expression as set out in s14 of the New Zealand Bill of Rights Act 1990, but this is an outcome that is consistent with Parliament's intention that publications falling under s3(2) of the Films, Videos and Publications Classification Act 1993 are deemed to be objectionable. The classification is a reasonable limitation on the freedom of expression that reflects the concern of "a free and democratic society" to limit the availability of publications that promote and support the exploitation of children for sexual purposes.

OFLC Ref: 201575